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# THE CLASSICAL WEEKLY

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## DR. THOMPSON'S ADDRESS<sup>1</sup>

I am admonished, by the number of papers listed for this session of the Classical Association, to be brief. But I must not fail to point out the felicity of your assembling here at this time. The principles suggested by your name never and nowhere called more loudly for affirmation and illustration than here and to-day. I may say that you have met to sell the ground on which Hannibal is encamping, and to see that it sells for its full value in the land-market.

We are living in a time which threatens to banish the word 'liberal' from the vocabulary of education, and to stamp the dollar-mark on everything in School and College. I think I see, in this, one phase of the Socialist tendency to reduce the problems of society to the supply of food, clothing and lodging for the multitudes. Instead of meaning training for a larger humanity, a braver outlook toward the future, and a more joyful entrance upon our great heritage from the past, education, in Governor Russell's phrase, is to be preparation for earning a living rather than preparation for Life. The formative years are to be spent in acquiring deftness in the practice of some definite trade. Although Mr. Ford has shown how a man taken from the street can be trained to be worth a high wage in less than a year's time, year upon year is to be spent in imparting a similar training. For the sake of this the man is to forfeit the chance to learn his own human possibilities in mental development, and to become—as Mr. Lowell puts it—good company to himself.

We decline to accept an education limited to the environment in which a child finds himself, even though that should be made so large as to include the criminal courts and the Zoo. We decline to accept the daily newspaper and its 'current events' as a substitute for the great record called History, in which the heir of all the ages may read the story of the heroic self-sacrifice and the priceless wisdom with which our fathers built up a Christian civilization. We think he should have some acquaintance with such 'useless facts' as Thermopylae and Salamis, Clontarf and Morgarten, Waterloo and Gettysburg, that his

heart may beat quicker at the vision of what does honor to humanity. And we want him awake to the fact that there have been not only Peabodies and Carnegies, Edisons and Fords, but Socrates, Cato, Aelfred, Dante, Saint Louis, Schiller and Hugo. In fine, instead of growing up the ephemeral creature of his little day, his parish or his ward, we want him served heir to all the great memories, and the greater hopes of the future.

In proposing this we are acting upon the cherished and wholesome traditions of this and other Commonwealths, which laid their educational foundations in classical studies. It was indeed the Christian Church and its need of a learned clergy which brought the Classics to this new world, and supported liberal education until its fruits commended it to Commonwealths and to millionaires. As I sat beside the representative of the City of Glasgow in the Moseley Commission, at the public reception in this city, I asked him what British College he supposed to have exercised the greatest influence on the educational development of America. He replied that it must have been Emanuel College, Cambridge, which had trained the Puritan ministry of New England, and had made Harvard and Yale possible. I told him, "No, it was your University of Glasgow, which trained the Ulster ministers, who emigrated to this and the adjacent States. These men planted the Academy beside the Church wherever they found a home in America. In the States from the Delaware to the Mississippi we can trace to their direct or indirect influence the creation of higher Schools, Colleges and Universities; and it was to them that our Friends' Academy and our University of Pennsylvania owed their best teachers".

My attention was called to this by my revered teacher, Dr. George Allen, of our University, himself a native of Vermont and a graduate of its State University. He said, "We Yankees have had far too much credit as the schoolmasters of America. The indebtedness of the central colonies, and of the States which grew out of them, to what we call the Scotch-Irish settlers was very great. When I came here as a professor of Latin and Greek, it was with a sort of feeling that I was a foreign missionary on pagan ground. But I soon discovered that there was here a tradition of classical scholarship as vigorous and as sound as New England could show, and that my busi-

<sup>1</sup>These remarks were delivered, extemporaneously, as an Address of Welcome, at the Tenth Anniversary Meeting of The Classical Association of the Atlantic States, held in the Central High School, Philadelphia, on April 14, 1916. They were afterward reproduced from memory by Dr. Thompson. This version came too late for insertion in Volume 9.  
C. K.

ness was to adapt my teaching to its methods, and perhaps to improve upon them, but not ignore or destroy them".

Out of that immigration into these colonies from my native province the country derived a whole series of schoolmasters of the old sort, who familiarized successive generations with the felicities of Greek and Latin literature, and with that enthusiasm for the classic world which created the modern world of thought and of art. They were stern men, who believed in no royal road to learning, who held that it was good for a youth to apply himself to work which tasked his strength; and, when need was, they gave him bad marks, not on paper, for that was dear, but on his cuticle. Charles Thomson, afterwards Secretary of the Continental Congress, represents the first generation of those Ulster schoolmasters, and my very dear master, Dr. John Wylie Faires, may be said to have closed the succession.

So was it with us in those early decades of scanty resources and rude living, when the fathers of the Republic were struggling with

Rude Nature's thwarting might,

in the initiation of the great conquest of this continent to human use and service. Shall we renounce their high educational ideals in this time of our prosperity, and turn aside to plans whose finest results can be but a greater accumulation of wealth and diffusion of comfort? If so, we need to heed Dr. Bushnell's warning in his notable discourse, *Barbarism the First Danger* (1847), against the gravitation of America to the level of the Boer Republics, with a culture limited to the spelling-book and the newspaper.

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ROBERT THOMPSON.

## LEGISLATION AGAINST POLITICAL CLUBS DURING THE REPUBLIC

(Concluded from page 22)

The penalty for the crime of sodalicium seems to have been interdiction. It certainly involved expulsion from Rome, and apparently for life. This must be regarded as somewhat inferential, but it is shown to be almost a certainty, from two facts. In the first place, the penalty was heavier than that for bribery. This is seen by Cicero's argument that Laterensis chose to prosecute Plancius under the law of Crassus rather than under the law of bribery because the penalty was more severe. The law of Cicero on bribery, which was the law now in force, imposed upon conviction banishment for ten years<sup>86</sup>. A heavier penalty must have meant either a longer term of banishment, or banishment for the same length of time, combined with some other punishment. Mommsen at one time thought that the punishment inflicted was banishment for ten years, and that a fine was coupled with it<sup>87</sup>,

but later he came to the conclusion adopted by most scholars, that exile for life was the penalty prescribed<sup>88</sup>. Exile is the necessary inference from Cicero's words early in the speech for Plancius<sup>89</sup>, and the loss of property is included among the things that Plancius would endure if convicted<sup>90</sup>. But this should not be interpreted to mean that a fine would be inflicted, but rather that confiscation would follow exile as a matter of course. In the second place, and still more conclusive, are the statements already cited to the effect that the penalty was the same as that for vis. This means only vis publica, somewhat equivalent to the term 'rioting' as used in modern law, for vis privata, or assault and battery, was a private offense. It was against the charge of vis publica that Cicero defended Sulla in 62, and Caelius and Sestius in 56. The penalty for this crime is clearly stated to have been interdiction, which meant banishment for life, with the confiscation of property<sup>91</sup>.

The law of Crassus was a consular law, and therefore must have been preceded by a senatorial decree on the subject. If we knew the contents of the senatorial decree, or if we knew even the nature of the discussion by the Senate, we could form a more accurate estimate of the terms of the law of Crassus. Unfortunately this is not possible, for, although Cicero often mentions the discussion of the topic by the Senate, he speaks of but two points in the debate, namely, the penalty proposed and the manner in which the jury was to be selected<sup>92</sup>. During the year of this joint consulship, Pompey secured the enactment or a new law on the composition of juries, which was a kind of amendment to the Aurelian law, to the effect that, while juries should continue to be chosen from the three orders in accordance with the practice since the year 70, the panel for each case should be formed according to census rating, and it is very probable that it included a provision that the album should be published with the names of the members of each tribe arranged together, so that a jury could be made up on a partially tribal basis<sup>93</sup>. But the law of Pompey is subsequent to that of Crassus, and some scholars think that the discussion of sodalicia, which took place in the Senate in February, 56, must have preceded any thought on Pompey's part of a reconstruction of the jury lists. However, the whole matter must have been in the air, and it is very unnatural to suppose that the various discussions arose independently of one another, or that the proposals of Pompey and

<sup>86</sup>Strafrecht, 874; Greenidge, 425, with n. 5. Rein, 716, is in doubt whether the penalty in itself was heavier, or whether the severity consisted merely in the stricter rules of procedure.

<sup>88</sup>Tum enim magistratum non gerebat is, qui ceperat, si patres auctores non erant facti; nunc postulatur a vobis, ut eius exitio, qui creatus est, iudicium populi Romani reprehendatis.

<sup>89</sup>9: agitur . . . Cn. Planci salus, patria, fortunae.  
<sup>90</sup>Cicero, Sulla 89: vita erepta est superiore iudicio, nunc, ne corpus eiciatur, laboramus; ibid. 91: Quid enim erat mali, quod huic spoliato fama, honore, fortunis deesse videretur?; Phil. 1.23: Quid, quod obrogatur legibus Caesaris, quae iubent ei, qui de vi, itemque ei, qui maiestatis damnatus sit, aqua et igni interdici? Compare Sest. 146; Digest 48.6.10.2.

<sup>91</sup>Planc. 36, 37, 39, 41, 44, 45; Ad Q. Fr. 2.3.6.

<sup>92</sup>Zumpt, Criminalrecht, 11.2.352 ff.

<sup>86</sup>Cicero, Mur. 3, 5, 47, 89; Planc. 83; Dio Cassius, 37.29.

<sup>87</sup>Coll. 70.